

**NEBRASKA DEPARTMENT  
OF INSURANCE**

**FILED**

CAUSE NO. A-1840

## JURISDICTION

- STIPULATIONS OF FACT**

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Allison L. Klanecky on August 5, 2009. A copy of

the petition was served upon the Respondent at the Respondent's home address registered with the Department by certified mail, return receipt requested.

2. The petition alleges that Respondent violated Neb. Rev. Stat. §44-4059(1)(f) as follows:

- a. On or about July 16, 2008, the United States of America filed a One-Count Indictment against Respondent alleging that he received and possessed an unregistered firearm.
- b. On or about October 22, 2008, the United States of America filed a Two-Count Superceding Indictment against Respondent. Count I alleging that he received and possessed an unregistered firearm, and Count II requesting that upon conviction of Count I, Respondent shall forfeit to the United States any explosive materials involved in or used or intended to be used in violation of the crime charged in Count I.
- c. On or about December 16, 2008, the United States of America filed a Three-Count Second Superceding Indictment against Respondent. Count I alleged that he received and possessed an unregistered firearm, to wit, a Striker-12 Streetsweeper shotgun, Count II alleged that he received and possessed an unregistered destructive device, to wit, components for the assembly of a grenade, and Count III requested that upon conviction of Count I, Respondent shall forfeit to the United States any explosive materials involved in or used or intended to be used in violation of the crime charged in Count I.
- d. On or about January 30, 2009, a jury, in the case captioned *United States of America, Plaintiff v. Allison Klanecky, Defendants*, Case No. 8:08CR279, found Respondent guilty on Count II of the Second Superceding Indictment—Possessing an unregistered destructive device in violation of Title 26, United States Code, Sections 5841, 5861(d) and 5871, which is a felony punishable to a maximum term of 10 years imprisonment, a fine not to exceed \$10,000 or both such fine and imprisonment.

3. The petition further alleges that the Respondent violated Neb. Rev. Stat. §44-4065(2) and §44-4059(1)(b) as a result of the following conduct:

- a. Respondent was arraigned in Omaha, Nebraska regarding the Indictment set forth in Paragraph 2 a. above on or about July 23, 2008, in the United States District Court for the District of Nebraska. Respondent did not report the criminal prosecution and arraignment to the director within thirty days of said date.

- b. Respondent was arraigned in Omaha, Nebraska regarding the Superceding Indictment set forth in Paragraph 2 b. above on or about November 4, 2008, in the United States District Court for the District of Nebraska. Respondent did not report the criminal prosecution and arraignment to the director within thirty days of said date.
- c. Respondent was arraigned in Omaha, Nebraska regarding the Second Superceding Indictment set forth in Paragraph 2 c. above on or about January 14, 2009, in the United States District Court for the District of Nebraska. Respondent did not report the criminal prosecution and arraignment to the director within thirty days of said date.

4. Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

5. Respondent neither admits nor denies the allegations set forth in Paragraphs #2 and #3 above; however, to resolve this matter Respondent enters into this Consent Order.

#### CONCLUSIONS OF LAW

The Department concludes that Respondent's conduct as alleged above in Paragraph #2, if proved, would constitute violations of Neb. Rev. Stat. §44-4059(1)(f), and as alleged above in Paragraph #3, if proved, would constitute violations of Neb. Rev. Stat. §§ 44-4059(1)(b) and 44-4059(1)(l) and would be subject to disciplinary action pursuant to Neb. Rev. Stat. §44-4059. Respondent neither admits nor denies the allegations contained in Paragraphs #2 and #3 above but consents to the entry of this Consent Order.

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed by Respondent, Allison L. Klanecky, that Respondent's insurance producer license shall be revoked. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signature below.

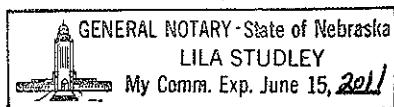
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2-5-2010  
Date

Allison L. Klanecky  
Respondent  
2/4/10  
Date

State of Nebraska )  
County of Greene ) ss.

On this 4 day of February, 2010, Allison L. Klanecky personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



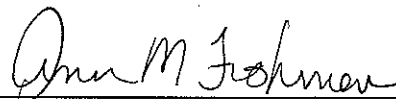
Lila Studley  
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the

Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs.  
Allison L. Klanecky, Cause No. A-1840.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



ANN M. FROHMAN  
Director of Insurance

2-12-10

Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent at P.  
O. Box 94, Wolbach, Nebraska 68882, by certified mail, return receipt requested on this 12<sup>th</sup> day  
of February, 2010.

